



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Michael Brown  
General Manager  
Pacific Coast Seafood Co.  
450 NE Skipanon Drive  
Warrenton, Oregon 97146

Re: Expedited SPCC Settlement Agreement  
Docket No. **CWA-10-2016-0033**  
Pacific Coast Seafood Co. - Warrenton Facility

Dear Mr. Brown:

On July 9, 2015, the subject facility was inspected by the Environmental Protection Agency (EPA). During the inspection, apparent violations of the Spill Prevention, Control and Countermeasures (SPCC) regulations were found. The specific allegations are identified in the enclosed SPCC Inspection Findings, Alleged Violations and Proposed Penalty Form (Penalty Form). EPA has authority under Section 311 of the Clean Water Act (CWA) to pursue civil penalties for violations of the SPCC regulations. EPA encourages the expedited settlement approach for minor, easily correctable violations and provides a discounted, non-negotiable settlement offer in lieu of a more formal, traditional administrative penalty action. For additional information on the EPA Expedited SPCC Settlement Agreement policy, please refer to the revised November 24, 2014 memorandum at <http://www2.epa.gov/sites/production/files/2014-12/documents/revisedesa guidance.pdf>. The enclosed Settlement Agreement, if executed by both parties, will be issued in accordance with 40 C.F.R. Part 22, "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits."

You may resolve the cited violations quickly by **correcting the cited violations**, mailing a check for the penalty as described below, inserting in the space provided on the Settlement Agreement the estimated cost for correcting the violations, and signing and returning the original Settlement Agreement **within 30 days** of your receipt of this letter. In addition, please provide documentation such as photographs, an updated SPCC plan or other relevant materials showing that your facility has met the requirements and has come into compliance with 40 C.F.R. Part 112. As previously stated, as a condition of the settlement, you must correct the violations within 30 days of your receipt of this letter. EPA, at its discretion, may grant one 30-day

extension to come into compliance if you demonstrate that it is technically infeasible or impractical to achieve compliance within 30 days. A request for a 30-day extension should be sent to:

**Kate Spaulding, Enforcement Officer  
EPA, Region 10  
1200 Sixth Avenue, Suite 900  
Mailstop OCE-101  
Seattle, WA 98101**

The Settlement Agreement, when executed by both parties, is binding on both you and EPA. Upon receipt of the signed document and a check for the amount of the penalty, EPA will take no further action against you for the violations cited in the Settlement Agreement. EPA will neither accept nor approve the Settlement Agreement if returned more than 30 days after the date of your receipt of this letter unless an extension has been granted by EPA.

If you do not pay the penalty and return the Settlement Agreement within 30 days of your receipt of this letter, unless an extension has been granted by EPA, the Settlement Agreement will be automatically withdrawn without prejudice to EPA's ability to file an enforcement action for the cited violations. Failure to sign and return the Settlement Agreement and pay the penalty within the approved time does not relieve you of the responsibility to comply fully with the SPCC regulations, including correcting the violations that have been specifically identified in the Penalty Form. If you decide not to sign and return the Settlement Agreement and pay the penalty, EPA can pursue more formal enforcement measures to correct the violation(s) and seek penalties of up to \$37,500 per day of violation.

You are required in the Settlement Agreement to certify that you have corrected the violations and paid the penalty. As noted above, **you are also required to document the corrections you have made by providing adequate documentation addressed to the above referenced Enforcement Officer in Seattle.** The payment for the penalty amount must be in the form of a certified check payable to the Oil Spill Liability Trust Fund, with EPA and the Docket Number of the Expedited Settlement Agreement on the check. The Docket Number is located at the top of the left column of the Expedited Settlement Agreement. The check is to be sent by certified mail to:

**U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000**

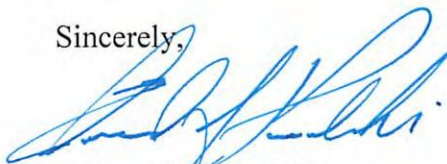
You are also required to send a copy of the certified check and the original Expedited Settlement Agreement to the above referenced Enforcement Officer in Seattle:

You should retain a copy of the Settlement Agreement and of the penalty payment. EPA will forward to you a copy of the fully executed Expedited Settlement Agreement.

By terms of the Settlement Agreement, and upon EPA's receipt of the signed Settlement Agreement and a check for the amount of the penalty, you waive your opportunity for a hearing pursuant to Section 311 of the CWA. EPA will treat any response to the proposed Settlement Agreement, other than acceptance of the settlement offer, as an indication that the recipient is not interested in pursuing an expedited settlement of this matter.

If you have any questions, please contact Kate Spaulding, Enforcement Coordinator, at (206) 553-5429.

Sincerely,



Edward J. Kowalski  
Director

Enclosures

cc w/enc: Michael J. Zollitsch  
Oregon Department of Environmental Quality  
Portland Office



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10, 1200 6<sup>th</sup> Avenue, Suite 900, Seattle, Washington, 98101

## EXPEDITED SPCC SETTLEMENT AGREEMENT

DOCKET NO. CWA-10-2016-0033

On: July 9, 2015

At: Pacific Coast Seafood Facility in Warrenton, Oregon,

Owned or operated: Pacific Coast Seafood Co (Respondent)

An authorized representative of the United States Environmental Protection Agency (EPA) conducted an inspection to determine compliance with the Oil Pollution Prevention (SPCC) regulations promulgated at 40 CFR Part 112 under Section 311(j) of the Clean Water Act (33 U.S.C. § 1321(j)) (the Act), and found that Respondent had violated regulations implementing Section 311(j) of the Act by failing to comply with the regulations as noted on the attached SPCC INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY FORM (Form), which is hereby incorporated by reference.

The parties are authorized to enter into this Expedited Settlement under the authority vested in the Administrator of EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in the Form for a penalty of **\$1,925.00**

This settlement is subject to the following terms and conditions:

EPA finds the Respondent is subject to the SPCC regulations, which are published at 40 CFR Part 112, and has violated the regulations as further described in the Form. The Respondent admits he/she is subject to 40 CFR Part 112 and that EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the Form. Respondent does not contest the Inspection Findings, and waives any objections it may have to EPA's jurisdiction. The Respondent consents to the assessment of the penalty stated above. Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the violations have been corrected and Respondent has sent a certified check in the amount of **\$1,925.00**, payable to the "Oil Spill Liability Trust Fund" to: "U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000". Respondent has noted on the penalty payment check "EPA" and the docket number of this case, "**CWA-10-2016-0033**."

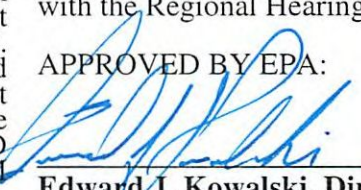
Upon signing and returning this Expedited Settlement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further notice.

If the Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Form. After this Expedited Settlement becomes effective, EPA

will take no further action against the Respondent for the violations of the SPCC regulations described in the Form. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by the Respondent of the SPCC regulations or of any other federal statute or regulations. By its first signature, EPA ratifies the Inspection Findings and Alleged Violations set forth in the Form.

This Expedited Settlement is binding on the parties signing below, and is effective upon EPA's filing of the document with the Regional Hearing Clerk.

APPROVED BY EPA:

 Date: 11/9/2015  
**Edward J. Kowalski, Director**  
**Office of Compliance and Enforcement**

APPROVED BY RESPONDENT:

Name (print): \_\_\_\_\_

Title (print): \_\_\_\_\_

\_\_\_\_\_  
Signature Date \_\_\_\_\_

Estimated cost for correcting the violation(s) is \$ \_\_\_\_\_


IT IS SO ORDERED:

\_\_\_\_\_  
Date \_\_\_\_\_  
**M. Socorro Rodriguez**  
**Regional Judicial Officer**  
**EPA Region 10**



## Spill Prevention Control and Countermeasure Inspection Findings, Alleged Violations, and Proposed Penalty Form

These Findings, Alleged Violations and Penalties are issued by EPA Region 10 under the authority vested in the Administrator of EPA by Section 311(b)(6)(B)(I) of the Clean Water Act, as amended by the Oil Pollution Act of 1990.

<b>Company Name:</b>	<b>Docket Number:</b>	
Pacific Coast Seafood Co.	CWA-10-2016-0033	
<b>Facility Name:</b>	<b>Penalty Form Date:</b>	
Pacific Coast Seafood Warrenton	10/28/2015	
<b>Address:</b>	<b>Inspection Date:</b>	
450 NE Skipanon Drive	07/09/2015	
<b>City:</b>	<b>Inspector Name:</b>	
Warrenton	Robert Whittier	
<b>State:</b>	<b>EPA Approving Official:</b>	
Oregon	Edward J. Kowalski	
<b>Zip Code:</b>	<b>Enforcement Contact:</b>	
97146	Kate Spaulding, (206) 553-5429, spaulding.kate@epa.gov	
<b>Summary of Findings</b> <b>(Bulk Storage Facilities)</b> <b>GENERAL TOPICS: §112.3(a), (d), (e); §112.5(a), (b), (c); §112.7 (a), (b), (c), (d)</b> <i>(When the SPCC Plan review penalty exceeds \$1,500 enter only the maximum allowable of \$1,500.)</i>		
<input checked="" type="checkbox"/>	No Spill Prevention Control and Countermeasure Plan - 112.3	\$1,500
<input type="checkbox"/>	Plan not certified by a professional engineer- 112.3(d)	\$450
<input type="checkbox"/>	Certification lacks one or more required elements - 112.3(d)(J)	\$100
<input type="checkbox"/>	Plan not maintained on site (if manned at least four (4) hrs/day) or not available for review- 112.3(e)(J)	\$300
<input type="checkbox"/>	No plan amendment(s) if the facility has had a change in: design, construction, operation, or maintenance which affects the facility's discharge potential- 112.5(a)	\$75
<input type="checkbox"/>	No evidence of five-year review of plan by owner/operator - 112.5(b)	\$75
<input type="checkbox"/>	Amendment(s) not certified by a professional engineer- 112.5(c)	\$150
<input type="checkbox"/>	No management approval of plan- 112.7	\$450

<input type="checkbox"/>	Plan does not follow sequence of the rule and/or cross-reference not provided - 112.7	\$150
<input type="checkbox"/>	Plan does not discuss additional procedures/methods/equipment not yet fully operational- 112.7	\$75
<input type="checkbox"/>	Plan does not discuss conformance with SPCC requirement- 112.7(a)(1)	\$75
<input type="checkbox"/>	Plan does not discuss alternative environmental protection to SPCC requirements - 112.7(a)(2)	\$200
<input type="checkbox"/>	Plan has inadequate or no facility diagram- 112.7(a)(3)	\$75
<input type="checkbox"/>	Inadequate or no listing of type of oil and storage capacity of containers- 112.7(a)(3)(i)	\$50
<input type="checkbox"/>	Inadequate or no discharge prevention measures- 112.7(a)(3)(ii)	\$50
<input type="checkbox"/>	Inadequate or no description of drainage controls- 112.7(a)(3)(iii)	\$50
<input type="checkbox"/>	Inadequate or no description of countermeasures for discharge discovery, response and cleanup- 112.7(a)(3)(iv)	\$50
<input type="checkbox"/>	Methods of disposal of recovered materials not in accordance with legal requirements- 112.7(a)(3)(v)	\$50
<input type="checkbox"/>	No contact list & phone numbers for response & reporting discharges- 112.7(a)(3)(vi)	\$50
<input type="checkbox"/>	Plan has inadequate or no information and procedures for reporting a discharge - 112.7(a)(4)	\$100
<input type="checkbox"/>	Plan has inadequate or no description and procedures to use when a discharge may occur - 112.7(a)(5)	\$150
<input type="checkbox"/>	Inadequate or no prediction of equipment failure which could result in discharges- 112.7(b)	\$150
<input type="checkbox"/>	Plan does not discuss and facility does not implement appropriate containment/diversionary structures/equipment- 112.7(c)	\$400
<input type="checkbox"/>	Inadequate containment or drainage for Loading Area - 112.7(c)	\$400
<input type="checkbox"/>	Plan has no or inadequate discussion of any applicable more stringent State rules, regulations, and guidelines -112.7(j)	\$75
<input type="checkbox"/>	Plan does not include a signed copy of the Certification of the Applicability of the Substantial Harm Criteria per 40 CFR Part 112.20(e)	\$150
<b><i>-If claiming impracticability of appropriate containment/diversionary structures:</i></b>		
<input type="checkbox"/>	Impracticability has not been clearly denoted and demonstrated in plan - 112.7(d)	\$100
<input type="checkbox"/>	No periodic integrity and leak testing- 112.7(d)	\$150
<input type="checkbox"/>	No contingency plan - 112.7(d)(1)	\$150
<input type="checkbox"/>	No written commitment of manpower, equipment, and materials - 112.7(d)(2)	\$150
<input type="checkbox"/>	Plan has no or inadequate discussion of general requirements not already specified - 112.7(j)	\$75
<b>QUALIFIED FACILITY REQUIREMENTS: §112.6</b>		
<input type="checkbox"/>	Qualified Facility: No Self certification - 112.6(a)	\$450

<input type="checkbox"/>	Qualified Facility: Self certification lacks required elements- 112.6(a) or (b)	\$100
<input type="checkbox"/>	Qualified Facility: Technical amendments not certified - 112.6(a) or (b)	\$150
<input type="checkbox"/>	Qualified Facility: Qualified Facility Plan includes alternative measures not certified by licensed Professional Engineer- 112.6(b)	\$150
<input type="checkbox"/>	Facility: Environmental Equivalence or Impracticability not certified by licensed Professional Engineer-112.6(b)(4)	\$350
<b>WRITTEN PROCEDURES AND INSPECTION RECORDS: §112.7(e)</b>		
<input type="checkbox"/>	Plan does not include inspections and test procedures in accordance with 40 CFR Part 112- 112.7(e)	\$75
<input type="checkbox"/>	Inspections and tests required are not in accordance with written procedures developed for the facility- 112.7(e)	\$75
<input checked="" type="checkbox"/>	No Inspection records were available for review- 112.7(e) - Written procedures and/or a record of inspections and/or customary business records:	\$200
<input type="checkbox"/>	Are not signed by appropriate supervisor or inspector- 112.7(e)	\$75
<input type="checkbox"/>	Are not maintained for three years- 112.7(e)	\$75
<b>PERSONNEL TRAINING AND DISCHARGE PREVENTION PROCEDURES: §112.7(f)</b>		
<input checked="" type="checkbox"/>	No training on the operation and maintenance of equipment to prevent discharges and for facility operations- 112.7(f)(1)	\$75
<input checked="" type="checkbox"/>	No training on discharge procedure protocols- 112.7(f)(1)	\$75
<input checked="" type="checkbox"/>	No training on the applicable pollution control laws, rules, and regulations and/or SPCC plan- 112.7(f)(1)	\$75
<input type="checkbox"/>	No designated person accountable for spill prevention - 112.7(f)(2)	\$75
<input type="checkbox"/>	Spill prevention briefings are not scheduled and conducted at least once a year- 112.7(f)(3)	\$75
<input type="checkbox"/>	Plan has inadequate or no discussion of personnel training and spill prevention procedures - 112.7(a)(1)	\$75
<b>SECURITY (excluding Production Facilities): §112.7(g)</b>		
<input type="checkbox"/>	Plan does not describe how the facility secures and controls access to the oil handling, processing and storage areas- 112.7(g)	\$150
<input type="checkbox"/>	Master flow and drain valves not secured- 112.7(g)	\$300
<input type="checkbox"/>	Starter controls on oil pumps not secured to prevent unauthorized access - 112.7(g)	\$75
<input type="checkbox"/>	Out-of-service and loading/unloading connections of oil pipelines not adequately secured- 112.7(g)	\$75
<input type="checkbox"/>	Plan does not address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges- 112.7(g)	\$150
<b>FACILITY TANK CAR AND TANK TRUCK LOADING/UNLOADING RACK: §112.7(h)</b>		
<input type="checkbox"/>	Inadequate secondary containment, and/ or rack drainage does not flow to catchment basin, treatment system, or quick drainage system- 112.7(h)(J)	\$750
<input type="checkbox"/>	Containment system does not hold at least the maximum capacity of the largest single compartment of any tank car or tank truck - 112.7(h)(1)	\$450
<input type="checkbox"/>	There are no interlocked warning lights, or physical barrier system, or warning signs, or vehicle brake interlock system to prevent vehicular departure before complete disconnect from transfer lines- 112.7(h)(2)	\$300

<input type="checkbox"/>	There is no inspection of lowermost drains and all outlets prior to filling and departure of any tank car or tank truck- 112.7(h)(3)	\$150
<input type="checkbox"/>	Plan has inadequate or no discussion of facility tank car and tank truck loading/unloading rack-112.7(a)(3)	\$75
<b>QUALIFIED OIL OPERATIONAL EQUIPMENT: §112.7(k)</b>		
<input type="checkbox"/>	Failure to establish and document procedures for inspections or a monitoring program to detect equipment failure and/or a discharge - 112.7(k)(2)(i)	\$150
<input type="checkbox"/>	Failure to provide an oil spill contingency plan- 112.7(k)(2)(ii)(A)	\$150
<input type="checkbox"/>	No written commitment of manpower, equipment, and materials - 112.7(k)(2)(ii)(B)	\$150
<b>FACILITY DRAINAGE: §112.8(b) &amp; (c) and/or §112.12(b) &amp; (c)</b>		
<input type="checkbox"/>	Two "lift" pumps are not provided for more than one treatment unit- 112.8(b)(5)	\$50
<input type="checkbox"/>	Secondary Containment circumvented due to containment bypass valves left open and/or pumps and ejectors not manually activated to prevent a discharge – 112.8(b)(1)&(2) and 112.8(c)(3)(i)	\$600
<input type="checkbox"/>	Dike water is not inspected prior to discharge and/or valves not open & resealed under responsible supervision – 112.8(c)(3)(ii)&(iii)	\$450
<input type="checkbox"/>	Adequate records (or NPDES permit records) of drainage from diked areas not maintained- 112.8(c)(3)(iv)	\$75
<input type="checkbox"/>	Drainage from undiked areas do not flow into catchment basins ponds, or lagoons, or no diversion systems to retain or return a discharge to the facility - 112.8(b)(3)&(4)	\$450
<input type="checkbox"/>	Plan has inadequate or no discussion of facility drainage - 112.7	\$75
<b>BULK STORAGE CONTAINERS: § 112.7(i), §112.8(c) and/or §112.12(c)</b>		
<input type="checkbox"/>	Failure to conduct evaluation of field-constructed aboveground containers for risk of discharge or failure due to brittle fracture or other catastrophe- 112.7(i)	\$300
<input type="checkbox"/>	Material and construction of containers not compatible with the oil stored and the conditions of storage such as pressure and temperature- 112.8(c)(1)	\$450
<input type="checkbox"/>	Secondary containment capacity is inadequate- 112.8(c)(2)	\$750
<input type="checkbox"/>	Secondary containment systems are not sufficiently impervious to contain oil- 112.8(c)(2)	\$375
<input type="checkbox"/>	Completely buried metallic tanks are not protected from corrosion or are not subjected to regular pressure testing- 112.8(c)(4)	\$150
<input type="checkbox"/>	Buried sections of partially buried metallic tanks are not protected from corrosion- 112.8(c)(5)	\$150
<input type="checkbox"/>	Above ground containers are not subject to periodic integrity testing techniques such as visual inspections, hydrostatic testing, or other nondestructive testing methods- 112.8(c)(6)	\$450
<input type="checkbox"/>	Above ground tanks are not subject to visual inspections- 112.8(c)(6)	\$450
<input type="checkbox"/>	Records of inspections (or customary business records) do not include inspections of container supports/foundation, signs of container deterioration, discharges and/or accumulations of oil inside diked areas- 112.8(c)(6)	\$75
<input type="checkbox"/>	Steam return /exhaust of internal heating coils that discharge into an open water course are not monitored, passed through a settling tank, skimmer, or other separation system- 112.8(c)(7)	\$150



<input type="checkbox"/>	Container installations are not engineered or updated in accordance with good engineering practice because none of the following are present - 112.8(c)(8) high liquid level alarm with audible or visual signal, or audible air vent - 112.8(c)(8)(i) high liquid level pump cutoff devices set to stop flow at a predetermined level- 112.8(c)(8)(ii) direct audible or code signal communication between container gauger and pumping station- 112.8(c)(8)(iii) fast response system for determining liquid level of each bulk storage container, or direct vision gauges with a person present to monitor gauges and the overall filling of bulk storage containers- 112.8(c)(8)(iv)	\$450
<input type="checkbox"/>	No testing of liquid level sensing devices to ensure proper operation- 112.8(c)(8)(v)	\$75
<input type="checkbox"/>	Effluent treatment facilities not observed frequently to detect possible system upsets that could cause a discharge as described in §112.1(b)- 112.8(c)(9)	\$150
<input type="checkbox"/>	Causes of leaks resulting in accumulations of oil in diked areas are not promptly corrected- 112.8(c)(10)	\$450
<input type="checkbox"/>	Mobile or portable storage containers are not positioned or located to prevent discharged oil from reaching navigable water, or have inadequate secondary containment- 112.8(c)(11)	\$150
<input type="checkbox"/>	Secondary containment inadequate for mobile or portable storage tanks- 112.8(c)(11)	\$500
<input type="checkbox"/>	Plan has inadequate or no discussion of bulk storage tanks - 112.7(a)(l)	\$75
<b>FACILITY TRANSFER OPERATIONS, PUMPING, AND FACILITY PROCESS: §112.8(d) and §112.12(d)</b>		
<input type="checkbox"/>	Buried piping is not corrosion protected with protective wrapping, coating, or cathodic protection - 112.8(d)(l)	\$150
<input type="checkbox"/>	Corrective action is not taken on exposed sections of buried piping when deterioration is found 112.8(d)(1)	\$450
<input type="checkbox"/>	Not-in-service or standby piping is not capped or blank-flanged and marked as to origin- 112.8(d)(2)	\$75
<input type="checkbox"/>	Pipe supports are not properly designed to minimize abrasion and corrosion, and allow for expansion and contraction- 112.8(d)(3)	\$75
<input type="checkbox"/>	Above ground valves, piping and appurtenances are not inspected regularly- 112.8(d)(4)	\$300
<input type="checkbox"/>	Periodic integrity and leak testing of buried piping is not conducted at time of installation, modification, construction, relocation, or replacement- 112.8(d)(4)	\$150
<input type="checkbox"/>	Vehicle traffic is not warned of aboveground piping or other oil transfer operations- 112.8(d)(5)	\$150
<input type="checkbox"/>	Plan has inadequate or no discussion of facility transfer operations, pumping, and facility process- 112.7(a)(l)	\$75
<b>TOTAL</b>		<b>\$1,925</b>

**EPA FACILITY INSPECTION REVIEW**  
**Pacific Coast Seafood Co**  
**Warrenton, Oregon 97146**

SPCC RULE REFERENCE	PLAN	FIELD	INSPECTION DEFICIENCY DESCRIPTION (7/9/2015)
<b>112.3(a)</b> SPCC Plan Preparation	X	NA	<p><b>For facilities (except farms), including mobile or portable facilities:</b></p> <ul style="list-style-type: none"> <li>• In operation on or prior to November 10, 2011: Plan prepared and/or amended and fully implemented by <b>November 10, 2011</b></li> <li>• Beginning operations after November 10, 2011, Plan prepared and fully implemented before beginning operations.</li> </ul> <p><i>"Although regulated, has not prepared or implemented an SPCC Plan. The facility does have a USCG-required "Operations Manual for Vessel Fueling" which it implements, and which has a few SPCC-type components, e.g., drainage, call-down notification call-down list."</i></p>
<b>112.3(d)</b> Professional Engineer (PE) Certification	X	NA	<p>Plan is certified by a registered Professional Engineer (PE) and includes statements that the PE attests:</p> <ul style="list-style-type: none"> <li>• PE is familiar with the requirements of 40 CFR part 112</li> <li>• PE or agent has visited and examined the facility</li> <li>• Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112</li> <li>• Procedures for required inspections and testing have been established</li> <li>• Plan is adequate for the facility</li> </ul>
<b>112.3(e)(1)</b> SPCC Plan availability	X	NA	Plan is available onsite if attended at least 4 hours per day. If facility is unattended, Plan is available at the nearest field office.
<b>112.5(b)</b> SPCC Plan Review	X	NA	<p>Review and evaluation of the Plan completed at least once every 5 years? Five year Plan review and evaluation documented?</p> <p><i>"No SPCC Plan."</i></p>
<b>112.7</b> General SPCC Requirements	X	NA	<p>Management approval at a level of authority to commit the necessary resources to fully implement the Plan. Plan follows sequence of the rule or is an equivalent Plan meeting all applicable rule requirements and includes a cross-reference of provisions.</p> <p><i>No SPCC Plan."</i></p>
<b>112.7(a)</b> Facility Description (3)	X	X	<p>Plan describes physical layout of facility and includes a diagram that identifies:</p> <ul style="list-style-type: none"> <li>• Location and contents of all regulated fixed oil storage containers</li> <li>• Storage areas where mobile or portable containers are located</li> <li>• Completely buried tanks otherwise exempt from the SPCC requirements (marked as "exempt")</li> <li>• Transfer stations</li> <li>• Connecting pipes, including intra-facility gathering lines that are otherwise exempt from the requirements of this part under §112.1(d)(11)</li> </ul>
Facility Description cont'd (3)(i)-(vi)	X		<p>Plan addresses each of the following:</p> <p>(i) For each fixed container, type of oil and storage capacity (see Attachment A of this checklist). For mobile or portable containers, type of oil and storage capacity for each container or an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities</p> <p>(ii) Discharge prevention measures, including procedures for routine handling of products (loading, unloading, and facility transfers, etc.)</p> <p>(iii) Discharge or drainage controls, such as secondary containment</p>

# **EPA FACILITY INSPECTION REVIEW**

**Pacific Coast Seafood Co**

**Warrenton, Oregon 97146**

<b>SPCC RULE REFERENCE</b>	<b>PLAN</b>	<b>FIELD</b>	<b>INSPECTION DEFICIENCY DESCRIPTION (7/9/2015)</b>
			<p>around containers, and other structures, equipment, and procedures for the control of a discharge</p> <p>(iv) Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources)</p> <p>(v) Methods of disposal of recovered materials in accordance with applicable legal requirements</p> <p>(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b)</p>
<b>112.7(a) Reporting a Discharge</b> (4)	X	NA	<p>Plan includes information and procedures that enable a person reporting an oil discharge as described in §112.1(b) to relate information on the:</p> <ul style="list-style-type: none"> <li>• Exact address or location and phone number of the facility;</li> <li>• Date and time of the discharge;</li> <li>• Type of material discharged;</li> <li>• Estimates of the total quantity discharged;</li> <li>• Estimates of the quantity discharged as described in §112.1(b);</li> <li>• Source of the discharge;</li> <li>• Description of all affected media;</li> <li>• Cause of the discharge;</li> <li>• Damages or injuries caused by the discharge;</li> <li>• Actions being used to stop, remove, and mitigate the effects of the discharge;</li> <li>• Whether an evacuation may be needed; and</li> <li>• Names of individuals and/or organizations who have also been contacted.</li> </ul>
<b>112.7(a) Plan Organization</b> (5)	X	NA	Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency.
<b>112.7(b) Discharge Flow Prediction</b>	X	NA	Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure.
<b>112.7(c) Appropriate Secondary Containment</b>	X		<p>Appropriate containment and/or diversionary structures or equipment are provided to prevent a discharge as described in §112.1(b), <b>except as provided in §112.7(k) of this section for certain qualified operational equipment.</b> The entire containment system, including walls and floors, are capable of containing oil and are constructed to prevent escape of a discharge from the containment system before cleanup occurs. The method, design, and capacity for secondary containment address the typical failure mode and the most likely quantity of oil that would be discharged. <b>For onshore facilities, one of the following or its equivalent is required for Bulk storage containers; Piping and related appurtenances; and Transfer areas, equipment and activities:</b></p> <ul style="list-style-type: none"> <li>• Dikes, berms, or retaining walls sufficiently impervious to contain oil;</li> <li>• Curbing or drip pans;</li> <li>• Sumps and collection systems;</li> <li>• Culverting, gutters or other drainage systems;</li> <li>• Weirs, booms or other barriers;</li> <li>• Spill diversion pond;</li> <li>• Retention ponds; or</li> </ul>

**EPA FACILITY INSPECTION REVIEW**  
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**Warrenton, Oregon 97146**

SPCC RULE REFERENCE	PLAN	FIELD	INSPECTION DEFICIENCY DESCRIPTION (7/9/2015)
			<ul style="list-style-type: none"> <li>Sorbent materials.</li> </ul>
<b>112.7(e)</b> Inspections	X	X	Inspections and tests conducted in accordance with written procedures. Record of inspections or tests signed by supervisor or inspector. Kept with Plan for at least 3 years.
<b>112.7(f)</b> Training (1)-(3)	X	X	<p>Personnel, training, and oil discharge prevention procedures</p> <p>(1) Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan.</p> <p>(2) Person designated as accountable for discharge prevention at the facility and reports to facility management.</p> <p>(3) Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.</p>
<b>112.7(g)</b> Security	X		<p>Plan describes how to:</p> <ul style="list-style-type: none"> <li>Secure and control access to the oil handling, processing and storage areas;</li> <li>Secure master flow and drain valves;</li> <li>Prevent unauthorized access to starter controls on oil pumps;</li> <li>Secure out-of-service and loading/unloading connections of oil pipelines; and</li> <li>Address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.</li> </ul>
<b>112.8(c)</b> Bulk Storage Containers (1)&(2)	X		<p>(1) Containers materials and construction are compatible with material stored and conditions of storage such as pressure and temperature</p> <p>(2) Except for mobile refuelers and other non-transportation-related tank trucks, construct all bulk storage tank installations with secondary containment to hold capacity of largest container and sufficient freeboard for precipitation. Diked areas sufficiently impervious to contain discharged oil.</p>
<b>112.8(c)</b> Integrity Testing (6)	X	X	<ul style="list-style-type: none"> <li>Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. Techniques include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other system of non-destructive testing</li> <li>Appropriate qualifications for personnel performing tests and inspections are identified in the Plan and have been assessed in accordance with industry standards</li> <li>The frequency and type of testing and inspections are documented, are in accordance with industry standards and take into account the container size, configuration and design</li> <li>Comparison records of aboveground container integrity testing are maintained</li> <li>Container supports and foundations regularly inspected</li> <li>Outside of containers frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas</li> <li>Records of all inspections and tests maintained.</li> </ul>

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			<i>"Facility inspector conducts a visual walk around inspection of tanks daily, but there are no records of inspections. 2 x 10,000 gal shop-built tanks. No industry standard applied for inspection/maintenance/repair."</i>
<b>112.8(c) Liquid Level Sensing (8)</b>	X		Each container is equipped with at least one of the following for liquid level sensing: <ul style="list-style-type: none"> <li>• High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station, or audible air vent in smaller facilities;</li> <li>• High liquid level pump cutoff devices set to stop flow at a predetermined container content level;</li> <li>• Direct audible or code signal communication between container gauger and pumping station;</li> <li>• Fast response system for determining liquid level (such as digital computers, telepulse, or direct vision gauges) and a person present to monitor gauges and overall filling of bulk containers; or</li> <li>• Regularly test liquid level sensing devices to ensure proper operation.</li> </ul>
<b>112.8(c) Facility Housekeeping (10)</b>	X		Visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed.
<b>112.8(d) Facility transfer operations, pumping, and facility process (2)-(5)</b>	X		(2) Piping terminal connection at the transfer point is marked as to origin and capped or blank-flanged when not in service or in standby service for an extended time. (3) Pipe supports are properly designed to minimize abrasion and corrosion and allow for expansion and contraction. (4) Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly to assess their general condition. Integrity and leak testing conducted on buried piping at time of installation, modification, construction, relocation, or replacement. (5) Vehicles warned so that no vehicle endangers aboveground piping and other oil transfer operations.